

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen J. Mordfin, Development Review Specialist
 Joel Lawson, Associate Director Development Review
DATE: March 21, 2023

SUBJECT: BZA Case 20855, 4402 Georgia Avenue, N.W. to permit the provision of no off-street parking spaces for a new apartment building

The attached report concerning BZA Case 20855 is being submitted less than 10 days prior to the BZA's Public Hearing. The Office of Planning respectfully requests that the Board waive its rule and accept this report into the record.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **APPROVAL** of the following special exception relief:

- Subtitle C § 703.2, Off-Street Parking (1 space minimum required; none existing; none proposed).

II. LOCATION AND SITE DESCRIPTION

Address	4402 Georgia Avenue, N.W.
Applicant	4402 GEORGIA NW LLC
Legal Description	Square 2917, Lot 89
Ward, ANC	Ward 4, ANC 4C
Zone	MU-4
Lot Characteristics	Rectangular lot with no alley access
Existing Development	Store-front in a 3-story building with no off-street parking
Adjacent Properties	North and West: Office building with off-street parking South: Mixed-use building with ground floor retail space East: Across Georgia Avenue, row and semi-detached dwellings
Surrounding Neighborhood Character	Moderate density residential, including ground-floor retail uses on the west side of Georgia Avenue
Proposed Development	Four-story twelve-unit apartment building with no off-street parking

III. ZONING REQUIREMENTS and RELIEF REQUESTED

Zone: MU-4	Regulation	Existing	Proposed	Relief
Height G § 403	50-foot max.	N/A	46 feet	None Required
Lot Width	None Prescribed	25 feet	25 feet	None Required
Lot Area	None Prescribed	2,100 sq. ft.	2,100 sq. ft.	None Required
Floor Area Ratio G § 402	max.	2.5 max. 3.0 w/IZ	2.96 w/ IZ	None Required
Lot Occupancy 4 § 404	60% max. 75% IZ	--	75%	None Required
Rear Yard G § 405	15-foot min.	N/A	21 feet	None Required
Parking C § 701	1 space	None	None	REQUIRED

IV. OFFICE OF PLANNING ANALYSIS

Special Exception Relief from Subtitle C § 703.2, Special Exceptions from Minimum Parking Number Requirements

703.1 *The Board of Zoning Adjustment may grant a full or partial reduction in the number of required parking spaces, as a special exception pursuant to Subtitle X, Chapter 9, and subject to the applicant's demonstration to the Board's satisfaction of **at least one** (1) of the following:*

- (a) *Due to the physical constraints of the property, the required parking spaces cannot be provided either on the lot or within six hundred feet (600 ft.) of the lot in accordance with Subtitle C § 701.8;*
- (b) *The use or structure is particularly well served by mass transit, shared vehicle, or bicycle facilities;*

The subject property is well served by mass transit. It is located one-half mile from the Georgia Avenue-Petworth Metrorail station on the Green and Yellow Lines. It is also served by Metrobus, including Route 70, an express bus service between downtown and Silver Spring.

- (c) *Land use or transportation characteristics of the neighborhood minimize the need for required parking spaces;*
- (d) *Amount of traffic congestion existing or which the parking for the building or structure would reasonably be expected to create in the neighborhood;*
- (e) *The nature of the use or structure or the number of residents, employees, guests, customers, or clients who would reasonably be expected to use the proposed building or structure at one time would generate demand for less parking than the minimum parking standards;*

- (f) *All or a significant proportion of dwelling units are dedicated as affordable housing units;*
- (g) *Quantity of existing public, commercial, or private parking, other than on-street parking, on the property or in the neighborhood, that can reasonably be expected to be available when the building or structure is in use;*
- (h) ***The property does not have access to an open public alley, resulting in the only means by which a motor vehicle could access the lot is from an improved public street and either:***
 - (1) *A curb cut permit for the property has been denied by the Public Space Committee; or*
 - (2) *Any driveway that could access an improved public street from the property would violate any regulation of this chapter, of the parking provisions of any other subtitle in the Zoning Regulations, or of Chapters 6 or 11 of Title 24 DCMR;*

The subject property has no access to an open public alley, and with the exception of the site's frontage on Georgia Avenue, is otherwise landlocked. Any curb cut constructed from the front would make it impractical to construct the building, even if a curb cut was granted by the Public Space Committee.

- (i) *The presence of healthy and mature canopy trees on or directly adjacent to the property; or*
- (j) *The nature or location of an Historic Resource precludes the provision of the number of parking spaces required by this chapter; or providing the required number of parking spaces would result in significant architectural or structural difficulty in maintaining the integrity and appearance of the Historic Resource.*

The application is in conformance with at least two of the above provisions. Therefore, the Board may grant a reduction in off-street parking.

703.2 *Any reduction in the required number of parking spaces granted under Subtitle C § 703.2 shall be:*

- (a) *Proportionate to the reduction in parking demand demonstrated by the applicant;*
- (b) *Limited to the number of spaces that the applicant demonstrates cannot reasonably be provided on the site as proposed to be developed in the application; and*
- (c) *Limited to relief from the minimum number of parking spaces required by this section and shall not provide relief from the location, access, size or layout, screening, or other requirements of this chapter.*

The applicant is required to provide one off-street parking space, and is unable to provide this one space. Therefore, the relief requested is limited to the minimum number the applicant is unable to provide.

703.3 *Any request for a reduction of more than four (4) spaces from the required number of parking spaces shall include a transportation demand management plan approved by the District Department of Transportation, the implementation of which shall be a condition of the Board of Zoning Adjustment's approval.*

Not applicable. The applicant requests a reduction of one space.

ii. Is the special exception in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?

The request to reduce the required parking would be in harmony with the Zoning Regulations and maps as it would permit the use of the subject property as otherwise permitted by the Zoning Regulations, with a use permitted as a matter-of-right, a twelve-unit apartment building.

iii. Would the special exception appear to tend to affect adversely, the use of neighboring property?

The granting of the requested special exception should not tend to adversely affect the use of neighboring property. The subject property is unable to provide any off-street parking on-site, is located within close proximity to a Metrorail station and is well served by Metrobus service on Georgia Avenue.

V. OTHER DISTRICT AGENCIES

A DDOT report noting no objection is at Exhibit 24. No comments from other District agencies were submitted to the record as of the date of the filing of this report.

VI. ADVISORY NEIGHBORHOOD COMMISSION

No comments from ANC 4C were submitted to the record as of the date of the filing of this report.

VII. COMMUNITY COMMENTS TO DATE

No community comments were submitted to the record as of the date of the filing of this report.

